**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**APPELLATE SIDE**

**WRIT PETITION NO.1918 OF 2004**

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Office Note, Office Memoranda of Coram appearance, Corut's orders or directions and Registrar's Orders:

Court's or Judge's Orders

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Mr.A.A.Kumbhakoni, for the Petitioners
Mrs. S.S. Bhende, A.G.P. for Respondents

**CORAM: F.I. REBELLO & S.P.KUKDAY, JJ.**
**DATE : 24th February, 2005**

**P.C.**

. Rule. Heard forthwith.

2. The Award was made on 30th September, 2002. Considering the judgment of the Apex Court in **Municipal Council, Ahmednagar & Anr. vs. Shah Hyder Beig, 2000 S.C. 671** it will not be possible to interfere with the said Award.

3. The second grievance of the petitioners, however, is that instead of the acquired land, he is willing to give alternate land in the benefitted zone. In answer to that in para.10 of the affidavit it is pointed out that the said issue can be decided by the Additional Commissioner, Pune Division and the District Resettlement Officer, Kolhapur. Considering the above, the petitioners will apply to any of the Competent Authorities as set out above within four weeks from today and if such an

application is made the Competent Authority to dispose of the same within eight weeks thereafter. Rule made partly absolute

d accordingly. No order as to costs.

. Personal Secretary of this Court to issue Authenticated copy of this order to the parties. All authorities to act on the authenticated copy of this order.

**(F.I. REBELLO, J.)**

**(S.P. KUKDAY, J.)**